PETITION FOR ZONING VAMIANCE 34-37-4 TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3B (Section VIC.4) to permit a rear yard \_\_set\_back\_of\_41' in lieu of the required 50' RE: PETITION FOR VARIANCE BEFORE THE ZONING COMMISSIONER N/S Yamali Rd., 620' W of the Centerline of Annapolis Rd., OF BALTIMORE COUNTY 13th District of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) BALTIMORE COUNTY, MARYLAND We have a hardship in that our growing family needs the additional space to be used as a recreation room (we have no basement) and we can't afford to move, and practical difficulty in that we are an inside group row home and the rear is the only direction that MARTIN H. FEEHELEY, JR., Case No. 84-37-A et ux, Petitioners INTER-OFFICE CORRESPONDENCE :::::: BALTIMORE COUNTY we can expand. William E. Hammond, Date. July 29, 1983 Zoning Commissioner ORDER TO ENTER APPEARANCE Norman E. Gerber, Director FROM Office of Planning and Zoning Mr. Commissioner: Property is to be posted and advertised as prescribed by Zoning Regulations. ZONING PLANS SUBJECT Zoning Petition #84-37-A
Martin H. Feeheley, Jr., et ux I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County. Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify I/We do solemnly declare and affirm. under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. me of any hearing date or dates which m - be now or hereafter designated therefor, There are no comprehensive planning factors requiring comment ADVISORY COMMITTEE on this petition. and of the passage of any preliminary or final Order in connection therewith. Contract Purchaser: Legal Owner(s): horman E. Gerberger Hoswe Martin H. Feeheley, Jr. (Type or Print Name) Norman E. Gerber, Director Max fummerina Martin H. Feeheley Office of Planning and Zoning John W. Hessian, III People's Counsel for Baltimore County Peter Max Zimmerman NEG:JGH:si Deputy People's Counsel Terry L. Feeheley Rm. 223, Court House (Type or Print Name) Towson, Maryland 21204 494-2188 487-I HEREBY CERTIFY that on this 21st day of July, 1983, a copy of the foregoing for Petitioner: Order was mailed to Mr. and Mrs. Martin H. Feeheley, Jr., 2734 Yarnall Road, 2734 Yarnall Road 636-6512 Baltimore, MD 21227, Petitioners. Baltimore, MD 21227 Name, address and phone number of legal owner, con-John W. Lessian, the tract purchaser or representative to be contacted Martin & Terry Feeheley John W. Hessian, III PETITION AND SITE PLAN \_\_\_2734\_Yarnall\_Road,\_\_\_636-6512\_ ORDERED By The Zoning Commissioner of Baltimore County, this 24th day of \_\_\_\_\_\_\_, 19\_83\_, that the subject matter of this petition be advertised, as required by the Zoning Law of Balti are County, in two newspapers of general circulation throughout Baltimore County, that property be osted, and that the public hearing be had before the Zoning EVALUATION COMMENTS County, on the \_\_\_\_\_10th day of August \_\_\_\_\_, 19.83 , at \_9:30 o'clock \_\_A\_M. BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204 BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE oc: APR Associates, Inc. Mr. & Mrs. Martin H. Techeley, Jr. 71.27 Harford Foed 273% Yamiell Road HARRY J. PISTEL, P. E. DIRECTOR William E. Hammond, Reltimore, Maryland 21231. Yaltimore, l'anyland 21227 Date\_\_July 29, 1983 Zoning Commissioner June 22, 1983 Norman E. Gerber, Director COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204 Mr. & Mrs. Martin H. Feeheley, Jr. FROM Office of Planning and Zoning Mr. William E. Hammond 2734 Yarnall Road Zoning Commissioner BALTIMORE COUNTY OFFICE OF PLANNING & ZONING Baltimore, Maryland 21227 SUBJECT Zoning Petition #84-37-A County Office Building Martin H. Feeheley, Jr., et ux Towson, Maryland 21204 County Office Building Nicholas B. Commodari 111 W. Chesapeake Avenue Chairman RE: Item No. 248 - Case No. 84-37-A Towson, Maryland 21204 Re: Item #24B (1982-1983) Petitioner - Martin H. Feeheley, Jr.etu Property Owner: Martin H. Feeheley, Jr., et ux N/S Yarnall Rd. 620 W. of centerline There are no comprehensive planning factors requiring comment Variance Petition MEMBERS Your Petition has been received and accepted for filing this \_ Annapolis Rd. Bureau of Dear Mr. & Mrs. Feeheley: of \_\_\_\_\_\_, 19 83 Acres: 16 x 110 District: 13th Engineering Department of The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The Traffic Engineering State Roads Commission following comments are not intended to indicate the appro-priateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with The following comments are furnished in regard to the plat submitted to this WILLIAM E. HAMMOND Bureau of Fire Prevention office for review by the Zoning Advisory Committee in connection with the subject Office of Planning and Zoning Zoning Commissioner regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning. NEG:JGH:si Health Department Petitioner Factin II. Tearsley, Jr. et un General: Reviewed by: Micholas B. Commodari Project Planning Petitioner's Attorney Building Department Baltimore County highway and utility improvements exist and are not directly Board of Education involved. Chairman, Zoning Plans Enclosed are all comments submitted from the members of the Committee at this time that offer or request infor-Zoning Administration Advisory Committee Development of this property through stripping, grading and stabilization could mation on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly. Industrial result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil. The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage Very truly yours, facilities, would be the full responsibility of the Petitioner. Lichelee D. Connacau. This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 248 (1982-1983). NICHOLAS B. COMMODARI Chairman Zoning Plans Advisory Committee NBC:bsc

Enclosures

cc: APR Associates, Inc. 7427 Harford Road

Baltimore, Md. 21234

RAM: EAM: FWR:ss

C-NE Key Sheet 24 SW 6 Pos. Sheet

SW 6 B Topo 109 Tax Map

RECEIVED

£5 17 964

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that zurict compliance with the Baltimore County Zoning Regulations would/would no result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect ":e health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS CRDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ \_\_\_\_\_, 19\_\_\_\_\_, that the herein Petition for Variance(s) to permit

BALTIMORE DEPARTMENT OF TRAFFIC ENGINE TOWSON, MARYLAND 21204 494-3550 DEPARTMENT OF TRAFFIC ENGINEERING

STEPHEN E. COLLINS DIRECTOR

June 22, 1983

Mr. William Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

> Meeting of May 24, 1983 Property Owner: Location: Existing Zoning: Proposed Zoning:

Acres: District:

IN RE: PETITION ZONING VARIANCE

12' x 14' dimensionally.

There were no protestants.

lim sed to three feet in length.

pose of the zoning ordinance.

N/S of Yarnall Road, 620' W of

Road - 13th Election District

the centerline of Annapolis :

Martin H. Feeheley, Jr., et ux,

Petitioners

FINDING OF FACTS AND CONCLUSIONS OF LAW

41 feet in lieu of the required 50 feet. The purpose for their request is to

enable the Petitioners to build a recreation room in the rear of their home,

The Petitioners and their contractor appeared at hearing and testified.

Testimony indicated, and was uncontested, that the placement of the pro-

posed addition in the rear of the Petitioners' home as described on the site

plan, Petitioners' Exhibit 1, is mandated by the unique physical configuration

of the Petitioners home is the only direction possible. The Petitioners testi-

fiet that they have lived in the home for four years, are beginning a family,

was to be granted, the contractor testified the proposed addition would be

at is obvious that there will be no substantial detriment to the public

Petitioners seek relief from Section 1802.3.B., Baltimore County Zoning

good and will not be any substantial impairment to the interest and the pur-

wil require the additional space, and cannot afford to move. If the variance

of their property and placement of neighboring homes. The expansion to the rear

The Petitioners herein request a variance to permit a rear yard setback of

Dear Mr. Hammond:

MSF/ccm

The Department of Traffic Engineering has no comments for items numbers 237, 238, 239, 240, 241, 242, 243, 244, 246, 247, and 248.

> Michael S. Flanigan Traffic Engineer Assoc.

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 84-37-A

::: :::

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. barmond, Zoning Commissioner TO Office of Planning and Zoning May 23, 1983

FROM Ian J. Forrest SUBJECT Zoning Variance Items

The Baltimore County Department of Health has reviewed the following soning variance items, and has no specific comments regarding same:

Item # 172 - F & H Enterprises, Inc. Item # 178 - Joseph L. Boley
Item # 181 - Robert H. & Hildred J. McKenny
Item # 190 - J. M. G. Company, Inc. Item # 191 - Fred L. Elrick, Sr. Item # 192 - Cohn Brothers
Item # 198 - Galway, Incorporated Item # 199 - Clarence & Irene Modes Item # 204 - Robert C. Beumgartner Itea # 207 - P & S Partnership Item # 210 - Ervin J. & Joan V. Cerveny
Item # 211 - Middle River Realty Company, Inc.
Item # 221 - Barry L. & Buth Green
Item # 225 - Hattie Kirson
Item # 228 - Christopher R. & Pamela L. Burrow
Item # 230 - Richard L. & Licia M. Hilbert Item # 231 - James E. & Mary H. O'Hears, Jr. Item # 232 - Venice K. Paternkis Item # 233 - Morritt Blvd. Limited Partnership Item # 234 - Buxton Crossing Joint Venture Item # 236 - Owen C. & Elsie M. Smith, Jr.
Item # 237 - Joseph W. & Donna M. Stack
Item # 238 - John W. & Haureen S. Diogel
Item # 241 - Broadus B. & Buth W. Whitlook, Jr.
Item # 242 - Herbert L. & Patricia H. Grynes Item # 243 - Leurence J. & Patricia A. Sadovski Item # 244 - Edvin B. & Sharyn A. Brager Item # 246 - Martin Plane, Inc. Item # 246 - Martin H. Feebeloy, Jr., et ux

> Can J. Jones Isn J. Forrest, Director BURRAU OF ENVIRONMENTAL SERVICES

IJI/fth/DES/JEP

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance was not to be granted. It has been established that the requirerents the Petitioners seek relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons above given, the variance requested should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, day of August, 1983, that the Petition for Variance to permit a rear yard setback of 41 feet in lieu of the required 50 feet for the express and sole purpose of building an enclosed addition 12' x 14' as more fully described in a site plan, dated April 29, 1983, and marked for identification as Petitioners' Exhibit 1, be and is hereby GRANTED, from and after the date of this Order, subject to the following:

> 1. The Petitioners may apply for their building permit and be granted same upon receipt of their Order; however, Petitioners are hereby made aware that their proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

Baltimore County

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3900 TED ZALESKI, JR.

June 6, 1983

Mr. William B. Hammond, Zoning Commissions Office of Planning and Zoning County Office Building Towson, Maryland

Dear Mr. Hammond Comments on Item # 248 Zoning Advisory Committee Meeting May 24, 1983

Property Owner: Martin H. Feeheley, Jr., et ux Location: N/S Yarnall Rd. 620' W. of centerline Annapolis Road Existing Zoming: D.R. 10.5 Proposed Zoming: Variance to permit a rear yard setback of 41' in lieu of the required 50'.

Acres: 16 x 110 District: 13th

A. All structure shall conform to the Baltimore County Building Code 1981/ Council Bill 4-82 State of Manyland Code for the Handicapped and Aged; and other applicable Codes.

B. A building/and other miscellaneous permits shall be required before beginning construction.

G. Residential: Three sets of construction drawings are required to file a parait application. Architect/Engineer seal is/is not required.

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

SPECIAL NOTE:

in exterior well erected within 6'0 of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-0 of lot lines. A firewall is required if construction is on the lot line, See Table 401, line 2, Section 1407 and Table 1402.

F. Requested variance conflicts with the Baltimore County Building Code, Section/s \_\_\_\_\_

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require

H. Before this office can comment on the above structure, please have the owner, thru the services of a Hegistered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

These comments reflect only on the information provided by the drawings submitted to the office of Flamming and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., 21204

Charles E. Burnham, Chief Plans Review

FORM 01-82

August 12, 1983

Mr. & Mrs. Martin H. Feeheley, Jr. 2734 Yarnall Road Ealtimore, Maryland 21227

> IN RE: PETITION ZONING VARIANCE N/S of Yarnall Road, 620' W of the centerline of Annapolis Road - 13th Election District Martin H. Feeheley, Jr., et ux, Petitioners | Case No. 84-37-A

Dear Hr. & Mrs. Feeheley:

I have this date passed my Order in the above-referenced matter in accordance with the attached.

Sincerely.

ARNOLD JABLON Zoning Commissioner

AJ/srl

Attachments

cc: John W. Hessian, III, Esquire People's Counsel

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE CHIEF

Mr. William Hammond Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Martin H. Feeheley, Jr., et ux

Location: N/S Yarnall Road 620' W. of centerline Annapolis Road

Item No.: 248 Gentlemen:

Zoning Agenda: Merting of May 24, 1983

September 14, 1983

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_feet along an approved road, in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

Special Inspection Division

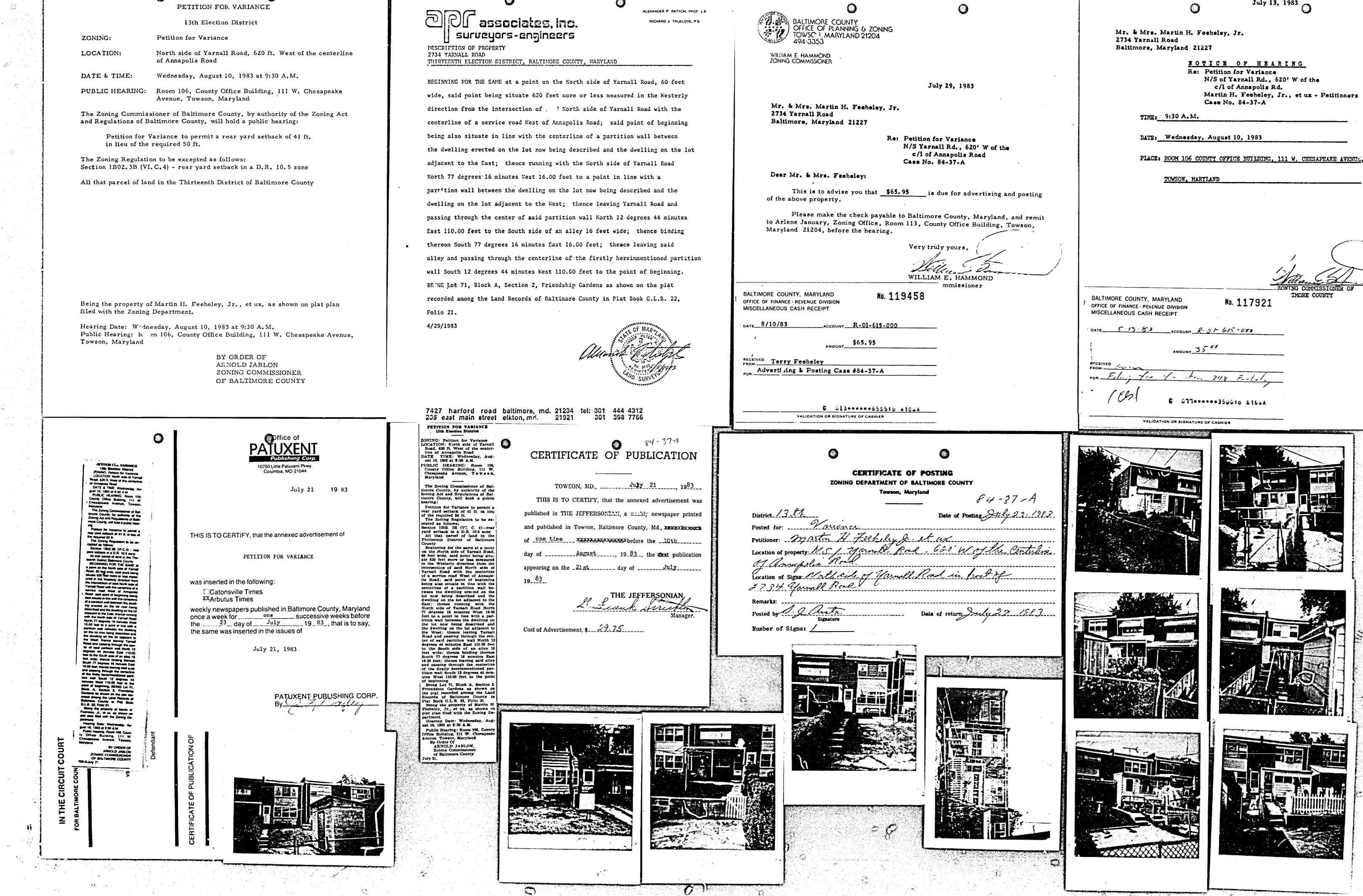
( ) 7. The Fire Prevention Bureau has no comments, at this time. Planting Group Fire Prevention Bureau

JK /mb/ cm

Regulations (BCZR), pursuant to Section 307, BCZR.

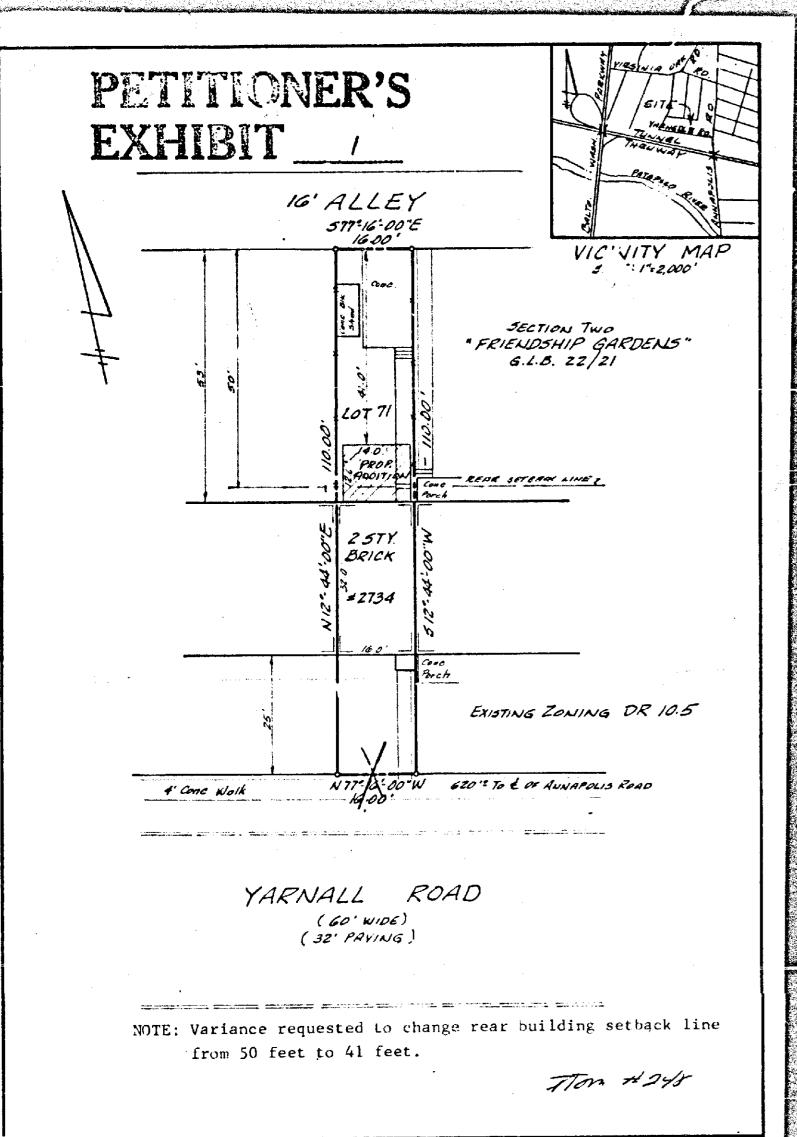
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FES 17 164

July 13, 1983



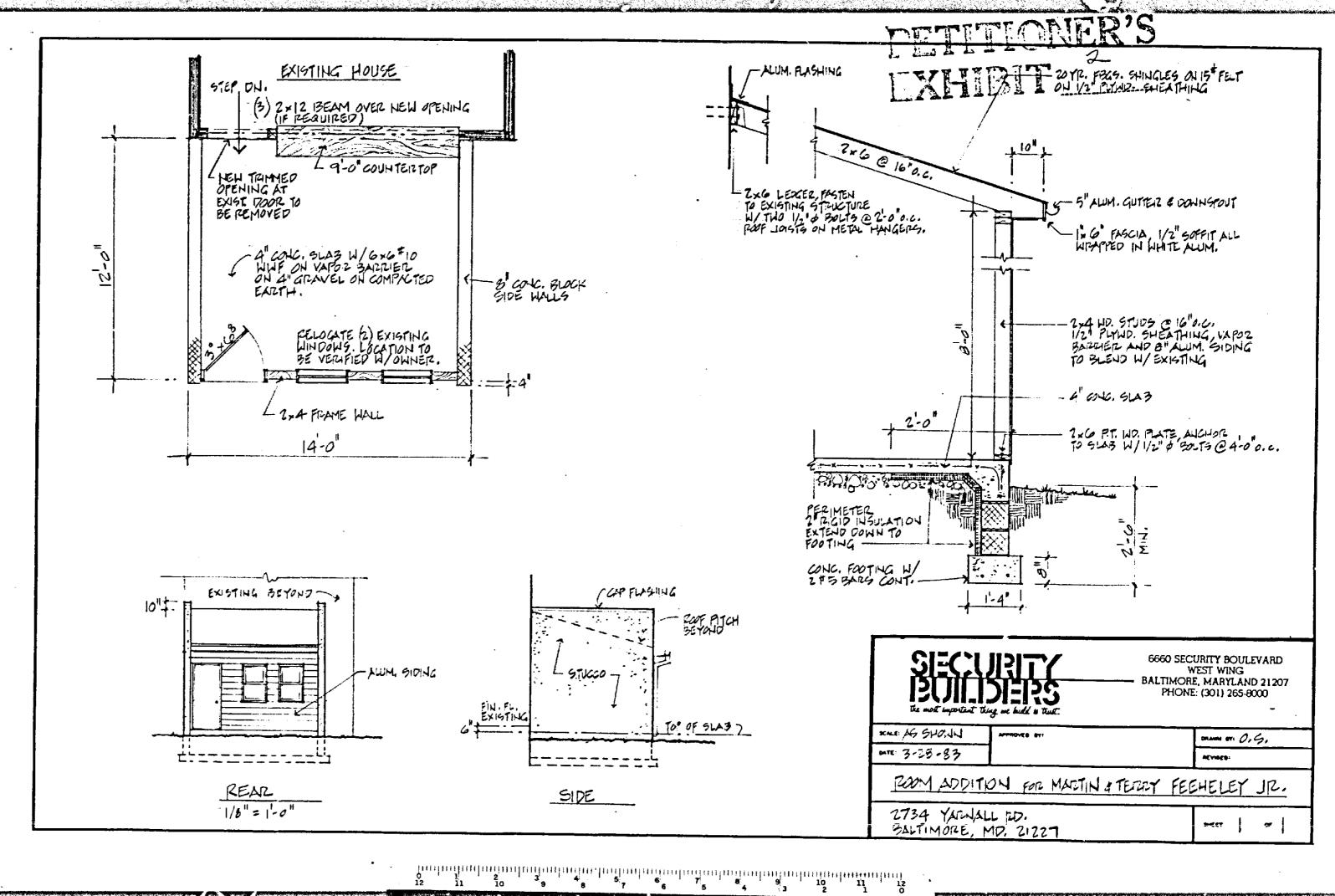


**apr** associates, inc. surveyors-engineers

204-208 E. MAIN STREET ELKTON, MD. 21921 PHONE. 398-7786

7427 HARFORD ROAD BALTIMORE, MO 21234 PHONE: 444-4312

PLAT TO ACCOMPANY PETITION FOR VARIANCE 2734 YARNALL ROAD FRIENDSHIP CARDENS 13th Election District Baltimore County, Maryland SCALE: 1"-20' April 29,1983





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